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C O N F I D E N T I A L WARSAW 000368

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E.O. 12958: DECL: 04/06/2019
TAGS: [PREL](#) [AORC](#) [ICJ](#) [KV](#) [PL](#)
SUBJECT: POLAND TO FILE ICJ BRIEF IN SUPPORT OF KOSOVO

REF: STATE 11928

Classified By: Political Counselor F. Daniel Sainz for Reasons 1.4 (b) and (d)

11. (C) Foreign Minister Radoslaw Sikorski has given the political-level green light to the MFA Legal Department to proceed with a "written statement" to the International Court of Justice supporting independence for Kosovo. According to the MFA's Marek Madej, who was involved in drafting the document, the brief will consist of two parts. The first section will outline basic facts, while the second will be a legal assessment of Kosovo's case for independence. Madej said the brief will argue, among other points, that:

- a unilateral declaration of independence does not conflict with any provisions of international law;
- ethnic Serbs committed massive human rights violations in Kosovo;
- internationalization of the local conflict in Kosovo effectively resulted in the Serbs' loss of control over its own territory; and
- the principle of territorial integrity should not in all cases be accorded precedence over the right of self-determination.

12. (SBU) Madej said the brief had been approved and was now being translated into English. He expected Sikorski to sign off on instructions to the Polish Embassy at The Hague by the end of this week to deliver the brief to the ICJ. Madej thought Poland's contribution would be delivered early next week, well before the April 17 deadline.

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